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Agenda item 96
Crime prevention and criminal justice

Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime

Note by the Secretariat

By its resolution 2004/19 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"**Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime**

"*The General Assembly*,

"*Recalling* its relevant resolutions on the prevention and suppression of terrorism, as well as Security Council resolutions 1269 (1999) of 19 October 1999, 1373 (2001) of 28 September 2001, 1377 (2001) of 12 November 2001 and 1456 (2003) of 20 January 2003,

"*Recalling also* its resolutions 56/1 of 12 September 2001, in which it strongly condemned the heinous acts of terrorism of 11 September 2001 and urgently called for international cooperation to prevent and eradicate acts of terrorism, and 57/27 of 19 November 2002, in which it also condemned those in Bali and Moscow, as well as Security Council resolutions 1450 (2002) of 13 December 2002, 1465 (2003) of 13 February 2003, 1516 (2003) of 20 November 2003 and 1530 (2004) of 11 March 2004, condemning in the strongest terms the bomb attacks in Kikambala, Kenya; Bogota; Istanbul, Turkey; and Madrid, respectively, and expressing its deepest sympathy and condolences to the victims of terrorist attacks and their families,

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"*Condemning* the acts of violence perpetrated in many parts of the world against humanitarian personnel and United Nations and its associated personnel, in particular deliberate attacks, which are in violation of international humanitarian law as well as other international law that may be applicable, such as the attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003,

"*Recalling* its resolutions 58/136 and 58/140 of 22 December 2003, in which it, inter alia, encouraged the activities of the United Nations Office on Drugs and Crime within its mandates in the area of preventing terrorism by providing Member States, upon request, with technical assistance, specifically to implement the universal conventions and protocols relating to terrorism, thereby strengthening international cooperation in preventing and combating terrorism, working in close coordination with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and the Office of Legal Affairs of the Secretariat, as well as with international, regional and subregional organizations and specialized agencies,

"*Mindful* of its resolution 58/81 of 9 December 2003, in which it welcomed the efforts of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognized, in the context of Security Council resolution 1373 (2001), the role of the Branch in assisting States to become parties to and implement the relevant international conventions and protocols related to terrorism,

"*Recalling* Security Council resolution 1535 (2004) of 26 March 2004 concerning enhancement of the ability of the Counter-Terrorism Committee to monitor the implementation of Council resolution 1373 (2001),

"*Recalling also* the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[1] which emanated from the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,

"*Noting with appreciation* the issuance, in all the official languages of the United Nations, of the *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols*[2] which was reviewed by an expert group hosted by the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy,

"*Noting also with appreciation* the guidelines for technical assistance within the framework of international cooperation against terrorism, which were formulated and reviewed during an expert group meeting held in Cape Town, South Africa, from 24 to 27 February 2004,

"*Deeply concerned* that acts of international terrorism continue to be perpetrated, endangering the lives and well-being of individuals worldwide, as well as the peace and security of all States,

"*Reaffirming* its unequivocal condemnation of terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance

[1] General Assembly resolution 55/59, annex.
[2] United Nations publication, Sales No. E.04.V.7.

with the principles of the Charter of the United Nations, international law and the relevant international conventions,

"*Recalling* that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and that such measures are adopted in accordance with international law, in particular international human rights, refugee and humanitarian law,

"*Mindful* of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and suppress effectively international terrorism in all its forms and manifestations,

"1. *Commends* the United Nations Office on Drugs and Crime for its work in preventing and combating terrorism through the provision of technical assistance, in close consultation with the Counter-Terrorism Committee, for the implementation of Security Council resolution 1373 (2001), in particular for the promotion of the ratification of, accession to and implementation of the universal conventions and protocols relating to terrorism;

"2. *Also commends* the efforts of the United Nations Office on Drugs and Crime to reinforce close cooperation with international, regional and subregional organizations, such as the Council of Europe, the International Monetary Fund, the Organization of American States, the Organization for Security and Cooperation in Europe and the World Bank, and the Counter-Terrorism Committee in preventing and combating terrorism, an example of which was the follow-up meeting to the United Nations Counter-Terrorism Committee special meeting of 6 March 2003, with participants from international, regional and subregional organizations, organized by the Organization for Security and Cooperation in Europe, in close cooperation with the United Nations Office on Drugs and Crime, in Vienna on 11 and 12 March 2004, which resulted in the Vienna Declaration of 12 March 2004;[3]

"3. *Welcomes* the regional and subregional workshops held in Antalya, Turkey, and in Bamako, Khartoum, London, San José and Vilnius to familiarize national experts and criminal justice officials with the requirements of Security Council resolution 1373 (2001) and the requirements for becoming parties to and implementing the universal conventions and protocols relating to terrorism and international cooperation agreements, and encourages the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and subject to the availability of extrabudgetary resources, to ensure proper follow-up to those workshops, in cases where such follow-up is indicated by the participating States;

"4. *Calls upon* Member States that have not yet done so to become parties to and to implement the universal conventions and protocols relating to terrorism as soon as possible and, where appropriate, to request assistance to that end from the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee;

[3] S/2004/276, annex.

"5. *Invites* Member States that are not yet parties to those instruments to make use of the *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols*[2] in their efforts to incorporate the provisions of those instruments in their national legislation, and requests the Secretariat, subject to the availability of extrabudgetary resources, to develop the *Legislative Guide* further as a tool for the provision of technical assistance aimed at the implementation of the universal conventions and protocols relating to terrorism;

"6. *Requests* the Secretariat to submit the guidelines for technical assistance that were formulated and reviewed during the expert group meeting held in Cape Town, South Africa, from 24 to 27 February 2004 to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice for discussion, with a view to consideration of the guidelines by the Commission on Crime Prevention and Criminal Justice at its subsequent session;

"7. *Requests* the United Nations Office on Drugs and Crime to continue to work with international organizations, in particular specialized agencies and other relevant United Nations entities that undertake work that is complementary to that of the Office, in order to enhance synergies;

"8. *Urges* Member States to continue working together, including on a regional and bilateral basis and in close cooperation with the United Nations, to prevent and combat acts of terrorism by strengthening international cooperation and technical assistance within the framework of Security Council resolutions 1373 (2001), 1377 (2001) and 1456 (2003), as well as the universal conventions and protocols relating to terrorism, Council resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1390 (2002) of 16 January 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004 and 1535 (2004) and other relevant United Nations resolutions, and in accordance with the Charter of the United Nations and international law;

"9. *Invites* Member States to examine ways and means to reinforce international cooperation in criminal justice matters pertaining to terrorism prevention during the Eleventh United Nations Congress on Crime Prevention and Criminal Justice with a view to enhancing global efforts in the fight against terrorism;

"10. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to intensify its efforts to provide technical assistance, upon request, in preventing and combating terrorism through the implementation of the universal conventions and protocols relating to terrorism, with particular emphasis on the need to coordinate its work with the Counter-Terrorism Committee and its Executive Directorate, including training judicial and prosecutorial personnel, where appropriate, in the proper implementation of the universal conventions and protocols relating to terrorism;

"11. *Also requests* the United Nations Office on Drugs and Crime to pursue an integrated, synergistic approach in the delivery of technical assistance to requesting States, taking into account the links that exist between terrorism and other forms of crime;

"12. *Expresses its appreciation* to donor countries that have supported the Global Programme against Terrorism, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or the United Nations Crime Prevention and Criminal Justice Programme network, and invites all Member States to make voluntary contributions to the Fund in order to allow the United Nations Office on Drugs and Crime to provide technical assistance to requesting Member States;

"13. *Calls upon* Member States to strengthen, to the greatest extent possible, international cooperation in order to combat terrorism, including, when necessary, entering into bilateral treaties on extradition and mutual legal assistance;

"14. *Recognizes* the need for the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide Member States, upon request, and in coordination with the Counter-Terrorism Committee, with technical assistance to strengthen international cooperation, including in international, national, regional and subregional forums, in terrorism-related criminal justice matters in the framework of the universal conventions and protocols and the relevant Security Council resolutions relating to terrorism;

"15. *Requests* the Secretary-General to convene, subject to the availability of extrabudgetary resources, an expert workshop, taking into account the need for adequate and equitable geographical representation and open to any Member State wishing to participate as an observer, to examine and analyse problems encountered by criminal justice practitioners in affording mutual legal assistance and granting extradition for terrorist offences, with a view to identifying proven and promising practices and possible ways of facilitating international cooperation, taking into account information that Member States may wish to provide;

"16. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution."

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Crime prevention and criminal justice

International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

Note by the Secretariat

By its resolution 2004/20 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

"*The General Assembly*,

"*Concerned* at the increase in the practice of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and determined to support measures to assist and protect them and to promote their recovery,

"*Reiterating* that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom and undermines human rights,

"*Noting* the transnational nature of organized crime and the tendency of organized criminal groups and terrorist groups to expand their illegal operations,

"*Concerned* at the growing tendency of organized criminal groups and terrorist groups to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms and drugs, money-laundering and crimes related to terrorism,

"*Convinced* that the links between various illegal activities, including terrorism, and organized crime pose an additional threat to security and the quality of life, hindering economic and social development,

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"*Convinced also* that the United Nations Convention against Transnational Organized Crime[1] provides the legal framework necessary for international cooperation in the fight against kidnapping,

"*Recalling* Economic and Social Council resolution 2003/28 of 22 July 2003, entitled 'International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims', in which the Council requested the Secretary-General, drawing on extrabudgetary funds or voluntary contributions, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, and to submit a progress report on that topic to the Commission on Crime Prevention and Criminal Justice at its thirteenth session,

"1. *Vigorously condemns and rejects once again* the practice of kidnapping, under any circumstances and for any purpose, especially when it is carried out by organized criminal groups and terrorist groups;

"2. *Reiterates* that organized criminal groups and terrorist groups, as well as all perpetrators, are responsible for any harm or death that may result from a kidnapping for which they are responsible, and should be punished accordingly;

"3. *Takes note with appreciation* of the report of the Secretary-General on international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims[2] and of the recommendations presented therein, submitted pursuant to Economic and Social Council resolutions 2002/16 of 24 July 2002 and 2003/28;

"4. *Encourages* Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and exchange of information, with a view to preventing, combating and eradicating kidnapping;

"5. *Calls upon* Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual assistance in, inter alia, the tracing, detection, freezing and confiscation of proceeds of kidnapping in order to combat organized criminal groups and terrorist groups;

"6. *Urges* Member States that have not yet done so to pay special attention to the considerable psychological, social and economic damage associated with kidnapping by adopting legislative, administrative or any other measures to provide appropriate support and assistance to victims and their families;

"7. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to prepare a handbook, for use by competent authorities, of proven and promising practices in the fight against kidnapping, including:

(a) Measures to prevent the crime of kidnapping that are directed at potential victims;

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[1] General Assembly resolution 55/25, annex I.

[2] E/CN.15/2004/7 and Add.1.

(b) Preventive measures aimed at disbanding organized criminal groups and terrorist groups;

(c) Cooperation or strategic alliances with the private sector;

(d) Response to and management of crises;

(e) Identification of the minimum elements that would help States to make adjustments to their domestic legislation with a view to having a common understanding of the crime of kidnapping, which would also help to ascertain reliable trends from a global perspective;

(f) Development of specialized measures for providing support and assistance to victims and their families;

(g) Information on national authorities responsible for preventing and combating kidnapping;

(h) Reporting procedures, rescue operations, information systems and prosecutions;

"8. *Also requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, including:

(a) Training of judges, prosecutors and other law enforcement officials in mechanisms for disbanding criminal organizations and in the use of special investigative techniques for the rescue of kidnapped persons, bearing in mind the particular need to safeguard and protect the victims;

(b) Review of trends and greater understanding of the problem in order to create a basis for developing policies and strategies against kidnapping."

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Crime prevention and criminal justice

Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption

Note by the Secretariat

By its resolution 2004/21 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption

"*The General Assembly*,

"*Deeply concerned* about the impact of corruption on the political, social and economic stability and development of societies,

"*Bearing in mind* that the prevention and combating of corruption is a common and shared responsibility of the international community, necessitating cooperation at the bilateral and multilateral levels,

"*Bearing in mind also* that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, if their efforts to prevent and combat corruption are to be effective,

"*Reaffirming* its support and commitment to the goals of the United Nations in the field of crime prevention and criminal justice, in particular the

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objectives set forth in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[1]

"*Recalling* its resolution 58/4 of 31 October 2003, in which it adopted the United Nations Convention against Corruption and urged all States and competent regional economic organizations to sign and ratify it,

"*Noting with appreciation* the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, held in Merida, Mexico, in December 2003,

"*Noting also with appreciation* the initiative of those States which have pledged financial contributions to the United Nations Crime Prevention and Criminal Justice Fund in order to enable developing countries and countries with economies in transition to initiate measures to implement the Convention,

"1. *Welcomes* the signing of the United Nations Convention against Corruption[2] by a large number of Member States, which reflects the high level of commitment on the part of the international community to the purpose of the Convention;

"2. *Urges* Member States to consider signing and ratifying the United Nations Convention against Corruption as soon as possible, in order to allow its early entry into force and subsequent implementation;

"3. *Encourages* Member States to make adequate voluntary contributions, where appropriate, to the United Nations Crime Prevention and Criminal Justice Fund to provide developing countries and countries with economies in transition with the technical assistance they may require to implement the Convention, including assistance for the preparatory measures required for implementation, taking into account article 62 of the Convention;

"4. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention, inter alia, through the provision of assistance to developing countries and countries with economies in transition for building capacity in the areas covered by the Convention;

"5. *Also requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the present resolution."

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[1] General Assembly resolution 55/59, annex.

[2] General Assembly resolution 58/4, annex.

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Crime prevention and criminal justice

Preventing, combating and punishing trafficking in human organs

Note by the Secretariat

By its resolution 2004/22 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"Preventing, combating and punishing trafficking in human organs

"*The General Assembly*,

"*Recalling* its resolution 53/111 of 9 December 1998, by which it established an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea,

"*Recalling also* its resolution 55/25 of 15 November 2000, in which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,

"*Recalling further* its resolution 55/255 of 31 May 2001, in which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts, Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

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"*Concerned* about the negative economic and social implications of the activities of organized crime and the possible expansion of such crime, such as trafficking in human organs,

"*Alarmed* at the potential growth of exploitation by criminal groups of human needs, poverty and destitution for the purpose of trafficking in human organs, using violence, coercion and kidnapping, especially kidnapping of children, with a view to exploiting them by means of organ transplant operations,

"*Noting with concern* that trafficking in human organs, wherever it occurs, constitutes a gross violation of the human rights, including the integrity, of its victims,

"*Convinced* of the need to strengthen local, regional and international cooperation in effective prevention and combating of such activities wherever they occur,

"*Determined* to prevent the provision of safe haven to those who participate in or profit from transnational organized crime and to prosecute such persons for the crimes they commit,

"*Deploring* the commercialization of the human body,

"1. *Urges* Member States, should they ascertain that such a phenomenon exists in their country, to adopt the necessary measures to prevent, combat and punish the illicit removal of and trafficking in human organs;

"2. *Encourages* Member States to exchange experience in and information on preventing, combating and punishing the illicit removal of and trafficking in human organs;

"3. *Requests* the Eleventh United Nations Congress on Crime Prevention and Criminal Justice to pay attention to the issue of the illicit removal of and trafficking in human organs;

"4. *Requests* the Secretary-General of the United Nations, in collaboration with the States and organizations concerned and subject to the availability of extrabudgetary resources, to prepare a study on the extent of the phenomenon of trafficking in human organs for submission to the Commission on Crime Prevention and Criminal Justice at its fifteenth session."

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Crime prevention and criminal justice

International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Note by the Secretariat

By its resolution 2004/23 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"**International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

"*The General Assembly*,

"*Recalling* its resolution 55/25 of 15 November 2000, in which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,

"*Recalling also* its resolution 55/255 of 31 May 2001, in which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

"*Recalling further* its resolution 58/135 of 22 December 2003 on international cooperation in the fight against transnational organized crime:

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assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

"*Reaffirming its deep concern* at the impact of transnational organized crime on the political, social and economic stability and development of societies,

"*Reaffirming* that the adoption of the Convention and the Protocols thereto is a significant development in international criminal law and that they constitute important instruments for effective international cooperation against transnational organized crime,

"1. *Takes note with appreciation* of the report of the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto;[1]

"2. *Welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;

"3. *Commends* the United Nations Office on Drugs and Crime for its work in promoting the ratification of the Convention and the Protocols thereto, including, in particular, the preparation of legislative guides designed to facilitate the ratification and subsequent implementation of those instruments, and invites the Office to finalize the legislative guides and to disseminate them as widely as possible;

"4. *Urges* all States and relevant regional economic integration organizations that have not done so to consider ratifying or acceding to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, as soon as possible;

"5. *Urges* all States and relevant regional economic integration organizations to take all necessary measures to improve international cooperation in criminal matters, especially extradition and mutual legal assistance, in accordance with the Convention;

"6. *Welcomes* the financial support provided by several donors to promote the entry into force and implementation of the Convention and the Protocols thereto, and encourages Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as contributions in direct support of activities and projects of the United Nations Office on Drugs and Crime, including through contributions to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of

[1] E/CN.15/2004/5.

those international legal instruments;

"7. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and the Protocols thereto and to discharge its functions as the secretariat of the Conference of the Parties in accordance with its mandate;

"8. *Requests* the United Nations Office on Drugs and Crime to continue to assist States, upon request, with capacity-building in the area of international cooperation in criminal matters, in particular extradition and mutual legal assistance;

"9. *Requests* the Secretary-General to report on the implementation of the present resolution in his report on the work of the United Nations Office on Drugs and Crime to be submitted to the General Assembly at its sixtieth session."

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International drug control

Control of, cultivation of and trafficking in cannabis

Note by the Secretariat

By its resolution 2004/36 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"Control of, cultivation of and trafficking in cannabis

"*The General Assembly*,

"*Recalling* the Single Convention on Narcotic Drugs of 1961,[1] that Convention as amended by the 1972 Protocol,[2] the Convention on Psychotropic Substances of 1971[3] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[4]

"*Recalling also* Commission on Narcotic Drugs resolution 45/8 on the control of cannabis in Africa,[5]

"*Concerned* that, of all the substances listed in the international drug control treaties, cannabis is by far the most widely and most frequently abused, especially among young people,

"*Concerned also* that the abuse of cannabis, especially among young people, often leads to risk-taking behaviour,

"*Concerned further* that cultivation of and trafficking in cannabis are on the increase in Africa partly as a result of extreme poverty and the absence of

[1] United Nations, *Treaty Series*, vol. 520, No. 7515.
[2] Ibid., vol. 976, No. 14152.
[3] Ibid., vol. 1019, No. 14956.
[4] Ibid., vol. 1582, No. 27627.
[5] *Official Records of the Economic and Social Council, 2002, Supplement No. 8* and corrigenda (E/2002/28 and Corr.1 and 2), chap. II, sect. C.

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any viable alternative crop and partly because of the profitability of such activity and the high demand for cannabis in other regions of the world,

"*Noting with concern* that increased cultivation of cannabis in Africa is extremely dangerous for the ecosystem because it leads to extensive use of fertilizers, overexploitation of the soil and destruction of forests to make room for new cannabis fields, thus accelerating soil erosion,

"*Taking note* of the report of the International Narcotics Control Board for 2003,[6] in which the Board confirmed that the production of, trafficking in and abuse of cannabis continued to pose a serious problem in various regions of the world,

"*Aware* of the importance of programmes promoting alternative development, including, where appropriate, preventive alternative development,

"*Emphasizing* the primary importance of international cooperation in combating drug trafficking and drug abuse,

"1. *Welcomes* the 2003 cannabis survey conducted by Morocco in cooperation with the United Nations Office on Drugs and Crime;

"2. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of voluntary funds, which might be either from general-purpose funds, in accordance with the Commission on Narcotic Drugs guidelines for the use of general-purpose funds,[7] or from earmarked funds, to begin a global survey of cannabis, initially with a market survey, before the forty-eighth session of the Commission on Narcotic Drugs;

"3. *Also requests* the United Nations Office on Drugs and Crime to support the creation or strengthening of national and subregional strategies and plans of action for the eradication of cannabis crops, subject to the availability of voluntary funds, which might be either from general-purpose funds, in accordance with the Commission on Narcotic Drugs guidelines for the use of general-purpose funds, or from earmarked funds;

"4. *Urges* Member States, in accordance with the principle of shared responsibility and as a sign of their commitment to the fight against illicit drugs, to extend cooperation to affected States, particularly in Africa, in the area of alternative development, including funding for research into crops offering viable alternatives to cannabis, environmental protection and technical assistance;

"5. *Encourages* Member States with experience and expertise in the eradication of illicit drug crops and alternative development programmes to share their experience and expertise with affected States, particularly in Africa;

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[6] *Report of the International Narcotics Control Board for 2003* (United Nations publication, Sales No. E.04.XI.1).

[7] *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1), Part II, chap. I, resolution 44/20, annex.

"6. *Urges* all Member States to encourage appropriate access to international markets for products of alternative development projects in order to support efforts aimed at eliminating the production of narcotic drugs and promoting sustainable development;

"7. *Encourages* Member States to apply new strategies and tools to complement existing ones in efforts to combat trafficking in cannabis;

"8. *Calls upon* all States to ensure strict compliance with all the provisions of the Single Convention on Narcotic Drugs of 1961,[8] that Convention as amended by the 1972 Protocol,[9] the Convention on Psychotropic Substances of 1971[10] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[11]

"9. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Narcotic Drugs, at its forty-eighth session, on the implementation of the present resolution."

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[8] United Nations, *Treaty Series*, vol. 520, No. 7515.
[9] Ibid., vol. 976, No. 14152.
[10] Ibid., vol. 1019, No. 14956.
[11] Ibid., vol. 1582, No. 27627.

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International drug control

Providing support to the Government of Afghanistan in its efforts to eliminate illicit opium and foster stability and security in the region

Note by the Secretariat

By its resolution 2004/37 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"Providing support to the Government of Afghanistan in its efforts to eliminate illicit opium and foster stability and security in the region"

"*The General Assembly*,

"*Recalling* the United Nations Millennium Declaration,[1] outlining the interrelated commitments, goals and targets to be achieved, among others, on development, peace and security and setting the required framework for international cooperation for achieving those goals,

"*Recognizing* that the threat emanating from illicit opium poppy cultivation and production of and trafficking in illicit opium, as addressed at the Conference on Drug Routes from Central Asia to Europe, held in Paris on 21 and 22 May 2003, is a serious challenge to the security and stability of Afghanistan, its neighbouring countries and the region and poses a problem to countries throughout the world,

"*Taking note* of *Afghanistan: Opium Survey 2003*, published by the United Nations Office on Drugs and Crime,

"*Recognizing* the strong and continuing commitment made by the Transitional Administration of Afghanistan at the institutional, legal and administrative levels to eliminate opium poppy cultivation by the year 2013,

[1] See General Assembly resolution 55/2.

"*Reaffirming* the commitments undertaken by Member States in the Political Declaration adopted by the General Assembly at its twentieth special session, in which Member States recognized that action against the world drug problem was a common and shared responsibility and expressed their conviction that it must be addressed in a multilateral setting,[2]

"*Recalling* that the Security Council, on 17 June 2003, called on the international community to provide assistance to the Afghan Transitional Administration in collaboration with the United Nations Office on Drugs and Crime and in line with the national drug control strategy,

"*Recalling also* that, in section II of its resolution 58/141 of 22 December 2003, it reaffirmed the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[3] and recommended that adequate help be provided to Afghanistan in support of the commitment of the Transitional Administration of Afghanistan to eliminate illicit opium,

"*Stressing* the importance and urgency of the implementation of the five action plans adopted by the International Counter-narcotics Conference on Afghanistan, held in Kabul on 8 and 9 February 2004, which were to form part of the discussion at the international conference entitled 'Afghanistan and the International Community: a Partnership for the Future', held in Berlin on 31 March and 1 April 2004, and the conclusion of the Kabul conference that the illicit drug issue is a top priority of all those interested in securing the future of Afghanistan,

"*Recalling* that, in the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, the ministers and other government representatives participating in the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs recommended that adequate help be provided to Afghanistan in the framework of the comprehensive international strategy carried out, inter alia, under the auspices of the United Nations and through other multilateral forums, in support of the commitment of the Transitional Government of Afghanistan to eliminate the illicit cultivation of the opium poppy and in response to the unique situation of that country, reaffirmed that that should help the provision of alternative livelihoods and the fight against illicit trafficking of drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including the strengthening of 'security belts' in the region, and that extensive efforts had to be made to reduce the demand for drugs globally in order to contribute to the sustainability of the elimination of illicit cultivation in Afghanistan and, in that context, affirmed that their response to that unique situation would not detract from their commitment and resources devoted to the fight against drugs in other parts of the world,[4]

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[2] General Assembly resolution S-20/2, annex, para. 2

[3] A/58/124, sect. II.A.

[4] A/58/124, sect. II.A, para. 22.

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"*Recalling* that the International Narcotics Control Board, in its report for 2003, pointed out that trade in Afghan opiates generated funds that corrupted institutions, financed terrorism and insurgency and led to destabilization of the region,[5]

"*Recalling* the appeal to the international community made by the International Narcotics Control Board on 12 February 2004 to fully support the Afghan authorities in addressing the drug control situation, in order to meet the requirements of the international drug treaties, including article 14 of the Single Convention on Narcotic Drugs of 1961[6] and that Convention as amended by the 1972 Protocol, [7]

"1. *Welcomes* the bilateral and multilateral support being provided by the international community, through the United Nations Office on Drugs and Crime and other organizations;

"2. *Expresses* its support for the efforts of Member States aimed at strengthening regional cooperation in order to counter the threat to the international community posed by the illicit cultivation of opium poppy in Afghanistan and its illicit trade;

"3. *Calls upon* the international community to enhance financial and technical support to Afghanistan in order to enable the Government to implement successfully its national drug control strategy and thereby reduce the demand for illicit drugs in Afghanistan and the threat that illicit opium poppy cultivation and illicit opium trade have created to the peace, stability and socio-economic recovery of Afghanistan and to the security of the region and the other parts of the world;

"4. *Urges* all stakeholders to accelerate efforts to implement a combined strategy, comprising law enforcement, eradication, interdiction, demand reduction and awareness-building, including alternative livelihoods conceived in a broader development context than currently understood, with a view to creating sustainable livelihoods, independent of illicit opium;

"5. *Encourages* the Transitional Administration of Afghanistan to accelerate the implementation of the commitment that it courageously made to the five action plans adopted by the International Counter-narcotics Conference on Afghanistan, held in Kabul on 8 and 9 February 2004;

"6. *Reaffirms* the need to strengthen measures to reduce the global demand for illicit drugs, in order to support and contribute to the sustainability of efforts to eliminate illicit opium in Afghanistan;

"7. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of voluntary funds, which might be either from general-purpose funds, in accordance with the Commission on Narcotic Drugs guidelines for the use of general-purpose funds,[8] or from earmarked funds, and

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[5] *Report of the International Narcotics Control Board for 2003* (United Nations publication, Sales No. E.04.XI.1), para. 203.

[6] United Nations, *Treaty Series*, vol. 520, No. 7515.

[7] Ibid., vol. 976, No. 14152.

[8] *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1), Part II, chap. I, resolution 44/20, annex.

encourages concerned Member States, international organizations and financial institutions to routinely mainstream counter-narcotics measures as part of their development cooperation strategies, in coordination with the development objectives of the Government of Afghanistan, so that sustainable alternative livelihoods are created in Afghanistan."

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Agenda item 97
International drug control

Follow-up on strengthening the systems of control over chemical precursors and preventing their diversion and trafficking

Note by the Secretariat

By its resolution 2004/38 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"Follow-up on strengthening the systems of control over chemical precursors and preventing their diversion and trafficking

"*The General Assembly*,

"*Concerned* with the continued diversion and misuse of precursors and the fact that despite efforts undertaken by all States, including the producing, exporting, importing and transit States, chemical substances are increasingly feeding the manufacture of illicit drugs of natural or synthetic origin, a problem that deserves the utmost attention of all States,

"*Recalling* the Political Declaration adopted by the General Assembly at its twentieth special session, devoted to countering the world drug problem together, in which Member States decided to establish the year 2008 as a target date for States to eliminate or considerably reduce the diversion of precursors,[1]

"*Recalling also* the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[2]

"*Stressing* the importance of Economic and Social Council resolutions 2003/32 of 22 July 2003, on training in precursor control, countering money-

[1] General Assembly resolution S-20/2, annex, para. 14.
[2] A/58/124, sect. II.A.

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laundering and drug abuse prevention, and 2003/35, also of 22 July 2003, on strengthening the prevention and suppression of illicit drug trafficking,

"*Recalling* article 12, paragraphs 1, 9 (c) and 10, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[3]

"*Reaffirming* the importance of using all available legal means or measures to prevent the diversion of chemicals from legitimate trade to illicit drug manufacture as an essential component of comprehensive strategies against drug abuse and trafficking and of preventing access to chemical precursors by those engaged in or attempting to engage in the processing of illicit drugs,

"*Reiterating* the importance of the effective and real-time exchange of information relating to the interdiction, diversion and suspected diversion of precursors, as an essential component of strategies to facilitate comprehensive investigations into cases relating to such diversion, including the identification of the modus operandi and entities involved and the initiation of appropriate legal action,

"*Encouraging* Member States to conduct backtracking law enforcement investigations in order to counter organized smuggling networks effectively,

"*Also encouraging* Member States to facilitate the exchange of information between the relevant agencies in order to identify the sources of seized precursor chemicals and those responsible for the shipping and diversion of those substances and to identify the sources of pharmaceutical preparations misused for illicit drug manufacture,

"*Noting* that links are increasingly being uncovered between the smuggling of drugs and the smuggling of precursor chemicals, including the use of similar modi operandi to conceal consignments in order to avoid detection,

"*Welcoming with satisfaction* the results so far achieved under Operation Purple and Operation Topaz and the new initiative called Project Prism, which were launched by the International Narcotics Control Board, in cooperation with Member States, to enhance controls over chemicals used in the illicit manufacture of cocaine, heroin and amphetamine-type stimulants respectively,

"*Concerned* that, without additional resources, the International Narcotics Control Board will not be able to carry out its important functions under the above-mentioned operations,

"1. *Urges* all Member States to put in place systems and procedures to ensure that the details of any interdiction, seizure, diversion or attempted diversion of precursors are communicated expeditiously to all Governments concerned and the International Narcotics Control Board and, insofar as possible, share relevant information so that methods frequently used for the national and international trafficking in chemicals may be identified, pursuant

[3] United Nations, *Treaty Series*, vol. 1582, No. 27627.

to article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[4]

"2. *Reiterates* the importance of applying the know-your-client principle referred to in Economic and Social Council resolution 2003/39 of 22 July 2003, and stresses the necessity of strengthening the use of the mechanism of pre-export notifications, including by providing timely responses, especially through the efficient sharing of information;

"3. *Invites* those States which do not have mechanisms to enable the real-time exchange of information under the current international operations to consider establishing a national focal point or central national authority in line with the standard operating procedures of the international operations, through which all information on licit and illicit consignments can be channelled, and invites all Member States to contribute to updating the directory of competent national authorities under the international drug control treaties, with a view to implementing article 12 of the 1988 Convention;

"4. *Recommends* that Member States develop or further adapt, where necessary, their regulatory and operational control procedures to counter the diversion of chemical substances into illicit drug production or manufacture, and encourages authorities to initiate or further strengthen coordination and cooperation between all regulatory and enforcement services involved in precursor control;

"5. *Invites* Member States and appropriate international and regional bodies to review intelligence on the smuggling of drugs and the smuggling of precursor chemicals, in order to identify common links and to plan appropriate operations to stop such activities;

"6. *Encourages* Member States to ensure that stopped diversion attempts receive the same investigative attention that would be afforded to a seizure of the same substance, since such cases could provide valuable intelligence that could prevent diversions elsewhere;

"7. *Emphasizes* the need to ensure that adequate mechanisms are in place, where necessary and to the extent possible, to prevent the diversion of preparations containing chemicals listed in tables I and II of the 1988 Convention, pertaining to illicit drug manufacture, in particular those containing ephedrine and pseudoephedrine;

"8. *Encourages* Member States, in order to counter smuggling networks effectively, to conduct backtracking law enforcement investigations and, where appropriate, to identify the source of the seized chemical precursors and those responsible for the consignment and ultimately the diversion;

"9. *Also encourages* Member States to investigate the possibility of establishing operational chemical profiling programmes, and invites all States to support, to the extent possible, such programmes;

"10. *Requests* the International Narcotics Control Board, pursuant to Economic and Social Council resolution 1995/20 of 24 July 1995, to monitor

[4] Ibid.

international trade so that diversion attempts can be identified, preventing chemical precursors from reaching the illicit market;

"11. *Urges* the International Narcotics Control Board to continue to follow up all such cases of diversion by facilitating investigations by national authorities and to make its findings available to Governments through its annual report;

"12. *Requests* the Secretary-General to provide the necessary resources to the International Narcotics Control Board to enable it to continue its work effectively under Operation Purple, Operation Topaz and Project Prism;

"13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime, within the framework of his biennial reports on the implementation of the outcome of the twentieth special session of the General Assembly and taking into account the relevant resolutions adopted on the subject since the special session, to include in his report on the control of precursors, starting with his report to be submitted to the Commission on Narcotic Drugs at its forty-eighth session, recommendations on how to strengthen the use of the pre-export notification mechanism and ensure timely responses."

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Agenda item 102
Programme of activities for the International Decade of the World's Indigenous People, 1995-2004

Proposal for a second international decade of the world's indigenous people

Note by the Secretariat

1. In its decision 2004/290 of 22 July 2004, the Economic and Social Council decided to transmit to the General Assembly for its consideration the following recommendation contained in the report of the Permanent Forum on Indigenous Issues on its third session concerning the proclamation of a second international decade of the world's indigenous peoples, to begin in January 2005:

> "The Economic and Social Council recommends to the General Assembly that it declare a second international decade of the world's indigenous peoples after the conclusion of the current International Decade of the World's Indigenous Peoples in 2004."[1]

2. In the same decision, the Council also recommended that, in the course of its consideration, the General Assembly, inter alia:

(a) Identify goals for a second decade, taking into account the achievements of the first decade;

(b) Identify a coordinator that would coordinate the programme of activities of a second decade;

(c) Address the question of human and financial resources to be made available in support of the activities undertaken in the framework of the decade, including the possible continuation of the Voluntary Fund established by the General Assembly in its resolution 49/214 of 23 December 1994.

[1] See *Official Records of the Economic and Social Council, 2004, Supplement No. 23* (E/2004/43), chap. I, sect. A, draft decision V.

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Follow-up to the International Year of Older Persons: Second World Assembly on Ageing

Qatar:* draft resolution

Follow-up to the Second World Assembly on Ageing

The General Assembly,

Recalling its resolutions 57/167 of 18 December 2002, in which it endorsed the Political Declaration and the Madrid International Plan of Action on Ageing 2002,[1] as well as its resolution 58/134 of 22 December 2003, in which it took note, inter alia, of the road map for the implementation of the Madrid Plan of Action,

Recalling also Commission for Social Development resolution 42/1 of 13 February 2004, entitled "Modalities for the review and appraisal of the Madrid International Plan of Action on Ageing, 2002", in which the Commission decided to undertake the review and appraisal of the Madrid Plan of Action every five years, with each review and appraisal cycle to focus on one of the priority directions of the Madrid Plan of Action,

1. *Recommends* that ongoing efforts to achieve the Millennium Development Goals consider the situation of older persons, ensure the integration of ageing issues into policies and programmes and provide opportunities for older persons to participate in decision-making and other activities;

2. *Calls* on Governments and the United Nations system agencies and organizations, as well as the non-governmental community, to ensure that the challenges of population ageing and the concerns of older persons are adequately incorporated into their programmes and projects, especially at the country level;

3. *Stresses* the need for additional capacity-building at the national level in order to promote and facilitate implementation of the Madrid International Plan of

* On behalf of the States Members of the United Nations that are members of Group of 77 and China.

[1] *Report of the Second World Assembly on Ageing, Madrid, 8-12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annexes I and II.

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Action on Ageing, 2002,[2] and in this connection, encourages Governments to support the United Nations Trust Fund for Ageing to enable the Department of Economic and Social Affairs to provide expanded assistance to countries, upon their request;

4. *Invites* Governments, intergovernmental organizations and non-governmental organizations to encourage and support comprehensive, diversified and specialized research on ageing in all countries, particularly in developing countries, including international research, with a view to promoting international research coordination, exchanging knowledge and supporting policy responses to ageing;

5. *Invites* the functional commissions of the Economic and Social Council to integrate the issues of population and individual ageing into their programmes of work in order to promote implementation of the Madrid Plan of Action;

6. *Recommends* that the Commission on the Status of Women continue to include in its agenda the situation of older women, particularly those who are most vulnerable, including those living in rural areas;

7. *Encourages* those regional commissions that have not yet done so to elaborate a regional strategy for the implementation of the Madrid Plan of Action, and requests the Commission for Social Development to clarify the role of the regional commissions in facilitating the review and appraisal of the Madrid Plan of Action, as well as the content, format and date of its global review and appraisal exercise;

8. *Takes note* of Commission for Social Development resolution 42/1, and requests the Secretary-General to present his proposals for conducting the review and appraisal exercise at the regional and global levels to the Commission for Social Development at its forty-third session;

9. *Reiterates* its request to the organizations and bodies of the United Nations system to assign full-time focal points on ageing and to provide them with adequate resources for further implementation of the Madrid Plan of Action, particularly through appropriate mainstreaming action;

10. *Requests* the Secretary-General to forward his report[3] to the Commission for Social Development at its forty-third session in order to assist the Commission in its deliberations;

11. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

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[2] Ibid., annex II.

[3] A/59/164.